

Attorney Docket No. P12128-US2

REMARKS/ARGUMENTS**1.) Claim Amendments**

The Applicants have amended claims 2 and 3; claims 5-7 and 16-19 have been canceled. Accordingly, claims 1-4 and 8-15 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 4, 10, 13 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Sturniolo, et al. (US 6,201,962) in view of La Porta, et al. (US 6,496,505). Applicants respectfully traverse the Examiner's rejection and submit the following reasons.

In rejecting the above claims, the Examiner stated that:

"Regarding claim 1, Sturniolo discloses a method for keeping a session active while changing data communications networks. In association with a session (Fig. 2 element 58), packets are received (Fig. 2 element 67) over a first communications network (Fig. 1 LAN 1). A second connection is then requested (Fig. 2 element 84) with a second data communications network (Fig. 2 LAN 2). An address of a gateway (Fig. 2 element 76) associated with the second network is acquired and packets are routed (Fig. 2 element 67) over the second connection based on the gateway address." (emphasis added).

Applicants respectfully submit that step 76 of Fig. 2 of Sturniolo merely discloses assigning or obtaining a new network ID for the mobile terminal now traveling within a new LAN2 (col. 10, lines 27-29). However, Sturniolo simply fails to disclose or teach acquiring an address of a gateway associated with the second network as claimed in the present application. Applicants respectfully submit that the cited Sturniolo reference disclosing a mobile station being assigned with a new network ID address

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does not teach or disclose the presently claimed invention wherein a network address associated with a new gateway serving a traveling mobile device is acquired.

Furthermore, the Examiner also stated that the Sturniolo reference also fails to disclose establishing a tunnel between the two gateways and routing packets between the gateways by way of the established tunnel. The Examiner however stated that LaPorta "discloses establishing a tunnel between two entities in a mobile IP-network (see col. 33-34, lines 60-17 and Fig. 20) and that it would have been obvious to one of ordinary skill in the art to include routing packets over a tunnel, as disclosed by LaPorta, in the invention as disclosed by Sturniolo.

Applicants respectfully submit that Sturniolo and LaPorta, individually or in combination, fail to disclose or teach the presently claimed invention wherein the address of a second gateway associated with the second data communication network is acquired. Furthermore, even though LaPorta uses the word "tunneling" therein, LaPorta also fails to disclose or teach the recited step of establishing a tunnel between the **first gateway** associated with the first data communication network serving said first connection and said **second gateway**. Instead, LaPorta and Examiner's cited portion therein merely discloses forwarding (or tunneling as used by LaPorta) IP packets from a mobile device's home agent to the mobile device's foreign agent. Since the foreign agent as disclosed by the cited reference is co-located with the mobile device, the forwarding of the IP packet as disclosed by LaPorta occurs from the home agent to the mobile device itself. This is well described in Fig. 20 and col. 33-34, lines 60-17 of the LaPorta reference. However, Applicants submit that LaPorta simply does not disclose or discuss establishing any tunneling **between a first gateway within a first data network and a second gateway within a second data network** as claimed by the present application.

Since the cited references, individually or in combination, fail to disclose or teach at least the above recited elements as claimed by independent claim 1, Applicants respectfully submit that claim 1 is in condition for allowance. Claims 2-4 and 8-15 dependent on now allowable independent claim 1 and recite further limitations in combination with the novel elements of claim 1. Claims 2 and 3 have also been

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amended to more distinctly and clearly claim the present invention. Therefore, allowance of claims 1-4, and 8-15 is further requested.

3.) Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 5-7 and 17 under 35 U.S.C. § 102(b) as being anticipated by Aziz, et al. (US 5,325,362). The Examiner has also rejected claims 16, 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Aziz (US 5,325,362). Applicants have now cancelled Claims 5-7 and 16-19 without prejudice.

4.) Prior Art Not Relied Upon

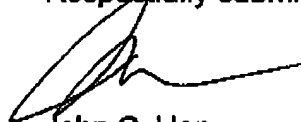
In paragraph 8 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicants' disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-4 and 8-15.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



John C. Han
Registration No. 41,403

Ericsson Inc.
6300 Legacy Drive, M/S EVW 2-C-2
Plano, Texas 75024

(972) 583-7686
john.han@ericsson.com

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